



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 45

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 45 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Section 6-11 and by adding Section 9-2c as follows:

6 (235 ILCS 5/6-11)

7 Sec. 6-11. Sale near churches, schools, and hospitals.

8 (a) No license shall be issued for the sale at retail of  
9 any alcoholic liquor within 100 feet of any church, school  
10 other than an institution of higher learning, hospital, home  
11 for aged or indigent persons or for veterans, their spouses or  
12 children or any military or naval station, provided, that this  
13 prohibition shall not apply to hotels offering restaurant  
14 service, regularly organized clubs, or to restaurants, food  
15 shops or other places where sale of alcoholic liquors is not  
16 the principal business carried on if the place of business so

1 exempted is not located in a municipality of more than 500,000  
2 persons, unless required by local ordinance; nor to the renewal  
3 of a license for the sale at retail of alcoholic liquor on  
4 premises within 100 feet of any church or school where the  
5 church or school has been established within such 100 feet  
6 since the issuance of the original license. In the case of a  
7 church, the distance of 100 feet shall be measured to the  
8 nearest part of any building used for worship services or  
9 educational programs and not to property boundaries.

10 (b) Nothing in this Section shall prohibit the issuance of  
11 a retail license authorizing the sale of alcoholic liquor to a  
12 restaurant, the primary business of which is the sale of goods  
13 baked on the premises if (i) the restaurant is newly  
14 constructed and located on a lot of not less than 10,000 square  
15 feet, (ii) the restaurant costs at least \$1,000,000 to  
16 construct, (iii) the licensee is the titleholder to the  
17 premises and resides on the premises, and (iv) the construction  
18 of the restaurant is completed within 18 months of the  
19 effective date of this amendatory Act of 1998.

20 (c) Nothing in this Section shall prohibit the issuance of  
21 a retail license authorizing the sale of alcoholic liquor  
22 incidental to a restaurant if (1) the primary business of the  
23 restaurant consists of the sale of food where the sale of  
24 liquor is incidental to the sale of food and the applicant is a  
25 completely new owner of the restaurant, (2) the immediately  
26 prior owner or operator of the premises where the restaurant is

1 located operated the premises as a restaurant and held a valid  
2 retail license authorizing the sale of alcoholic liquor at the  
3 restaurant for at least part of the 24 months before the change  
4 of ownership, and (3) the restaurant is located 75 or more feet  
5 from a school.

6 (d) In the interest of further developing Illinois' economy  
7 in the area of commerce, tourism, convention, and banquet  
8 business, nothing in this Section shall prohibit issuance of a  
9 retail license authorizing the sale of alcoholic beverages to a  
10 restaurant, banquet facility, grocery store, or hotel having  
11 not fewer than 150 guest room accommodations located in a  
12 municipality of more than 500,000 persons, notwithstanding the  
13 proximity of such hotel, restaurant, banquet facility, or  
14 grocery store to any church or school, if the licensed premises  
15 described on the license are located within an enclosed mall or  
16 building of a height of at least 6 stories, or 60 feet in the  
17 case of a building that has been registered as a national  
18 landmark, or in a grocery store having a minimum of 56,010  
19 square feet of floor space in a single story building in an  
20 open mall of at least 3.96 acres that is adjacent to a public  
21 school that opened as a boys technical high school in 1934, or  
22 in a grocery store having a minimum of 31,000 square feet of  
23 floor space in a single story building located a distance of  
24 more than 90 feet but less than 100 feet from a high school  
25 that opened in 1928 as a junior high school and became a senior  
26 high school in 1933, and in each of these cases if the sale of

1 alcoholic liquors is not the principal business carried on by  
2 the licensee.

3 For purposes of this Section, a "banquet facility" is any  
4 part of a building that caters to private parties and where the  
5 sale of alcoholic liquors is not the principal business.

6 (e) Nothing in this Section shall prohibit the issuance of  
7 a license to a church or private school to sell at retail  
8 alcoholic liquor if any such sales are limited to periods when  
9 groups are assembled on the premises solely for the promotion  
10 of some common object other than the sale or consumption of  
11 alcoholic liquors.

12 (f) Nothing in this Section shall prohibit a church or  
13 church affiliated school located in a home rule municipality or  
14 in a municipality with 75,000 or more inhabitants from locating  
15 within 100 feet of a property for which there is a preexisting  
16 license to sell alcoholic liquor at retail. In these instances,  
17 the local zoning authority may, by ordinance adopted  
18 simultaneously with the granting of an initial special use  
19 zoning permit for the church or church affiliated school,  
20 provide that the 100-foot restriction in this Section shall not  
21 apply to that church or church affiliated school and future  
22 retail liquor licenses.

23 (g) Nothing in this Section shall prohibit the issuance of  
24 a retail license authorizing the sale of alcoholic liquor at  
25 premises within 100 feet, but not less than 90 feet, of a  
26 public school if (1) the premises have been continuously

1 licensed to sell alcoholic liquor for a period of at least 50  
2 years, (2) the premises are located in a municipality having a  
3 population of over 500,000 inhabitants, (3) the licensee is an  
4 individual who is a member of a family that has held the  
5 previous 3 licenses for that location for more than 25 years,  
6 (4) the principal of the school and the alderman of the ward in  
7 which the school is located have delivered a written statement  
8 to the local liquor control commissioner stating that they do  
9 not object to the issuance of a license under this subsection  
10 (g), and (5) the local liquor control commissioner has received  
11 the written consent of a majority of the registered voters who  
12 live within 200 feet of the premises.

13 (h) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor within premises and at an outdoor patio area attached to  
17 premises that are located in a municipality with a population  
18 in excess of 300,000 inhabitants and that are within 100 feet  
19 of a church if:

20 (1) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food,

22 (2) the sale of liquor is not the principal business  
23 carried on by the licensee at the premises,

24 (3) the premises are less than 1,000 square feet,

25 (4) the premises are owned by the University of  
26 Illinois,

1           (5) the premises are immediately adjacent to property  
2 owned by a church and are not less than 20 nor more than 40  
3 feet from the church space used for worship services, and

4           (6) the principal religious leader at the place of  
5 worship has indicated his or her support for the issuance  
6 of the license in writing.

7           (i) Notwithstanding any provision in this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license to sell alcoholic liquor at a premises  
10 that is located within a municipality with a population in  
11 excess of 300,000 inhabitants and is within 100 feet of a  
12 church, synagogue, or other place of worship if:

13           (1) the primary entrance of the premises and the  
14 primary entrance of the church, synagogue, or other place  
15 of worship are at least 100 feet apart, on parallel  
16 streets, and separated by an alley; and

17           (2) the principal religious leader at the place of  
18 worship has not indicated his or her opposition to the  
19 issuance or renewal of the license in writing.

20           (j) Notwithstanding any provision in this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance  
22 of a retail license authorizing the sale of alcoholic liquor at  
23 a theater that is within 100 feet of a church if (1) the church  
24 owns the theater, (2) the church leases the theater to one or  
25 more entities, and (3) the theater is used by at least 5  
26 different not-for-profit theater groups.

1           (k) Notwithstanding any provision in this Section to the  
2 contrary, nothing in this Section shall prohibit the issuance  
3 or renewal of a license authorizing the sale of alcoholic  
4 liquor at a premises that is located within a municipality with  
5 a population in excess of 1,000,000 inhabitants and is within  
6 100 feet of a school if:

7           (1) the primary entrance of the premises and the  
8 primary entrance of the school are parallel, on different  
9 streets, and separated by an alley;

10           (2) the southeast corner of the premises are at least  
11 350 feet from the southwest corner of the school;

12           (3) the school was built in 1978;

13           (4) the sale of alcoholic liquor at the premises is  
14 incidental to the sale of food;

15           (5) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises;

17           (6) the applicant is the owner of the restaurant and  
18 has held a valid license authorizing the sale of alcoholic  
19 liquor for the business to be conducted on the premises at  
20 a different location for more than 7 years; and

21           (7) the premises is at least 2,300 square feet and sits  
22 on a lot that is between 6,100 and 6,150 square feet.

23           (1) Notwithstanding any provision in this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance  
25 or renewal of a license authorizing the sale of alcoholic  
26 liquor at a premises that is located within a municipality with

1 a population in excess of 1,000,000 inhabitants and is within  
2 100 feet of a church or school if:

3 (1) the primary entrance of the premises and the  
4 closest entrance of the church or school is at least 90  
5 feet apart and no greater than 95 feet apart;

6 (2) the shortest distance between the premises and the  
7 church or school is at least 80 feet apart and no greater  
8 than 85 feet apart;

9 (3) the applicant is the owner of the restaurant and on  
10 November 15, 2006 held a valid license authorizing the sale  
11 of alcoholic liquor for the business to be conducted on the  
12 premises for at least 14 different locations;

13 (4) the sale of alcoholic liquor at the premises is  
14 incidental to the sale of food;

15 (5) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises;

17 (6) the premises is at least 3,200 square feet and sits  
18 on a lot that is between 7,150 and 7,200 square feet; and

19 (7) the principal religious leader at the place of  
20 worship has not indicated his or her opposition to the  
21 issuance or renewal of the license in writing.

22 (m) Notwithstanding any provision in this Section to the  
23 contrary, nothing in this Section shall prohibit the issuance  
24 or renewal of a license authorizing the sale of alcoholic  
25 liquor at a premises that is located within a municipality with  
26 a population in excess of 1,000,000 inhabitants and is within



1 100 feet of a church if:

2 (1) the premises and the church are perpendicular, and  
3 the primary entrance of the premises faces South while the  
4 primary entrance of the church faces West and the distance  
5 between the two entrances is more than 100 feet;

6 (2) the shortest distance between the premises lot line  
7 and the exterior wall of the church is at least 80 feet;

8 (3) the church was established at the current location  
9 in 1916 and the present structure was erected in 1925;

10 (4) the premises is a single story, single use building  
11 with at least 1,750 square feet and no more than 2,000  
12 square feet;

13 (5) the sale of alcoholic liquor at the premises is  
14 incidental to the sale of food;

15 (6) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises; and

17 (7) the principal religious leader at the place of  
18 worship has not indicated his or her opposition to the  
19 issuance or renewal of the license in writing.

20 (n) Notwithstanding any provision in this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance  
22 or renewal of a license authorizing the sale of alcoholic  
23 liquor at a premises that is located within a municipality with  
24 a population in excess of 1,000,000 inhabitants and is within  
25 100 feet of a school if:

26 (1) the school is a City of Chicago School District 299

1 school;

2 (2) the school is located within subarea E of City of  
3 Chicago Residential Business Planned Development Number  
4 70;

5 (3) the sale of alcoholic liquor is not the principal  
6 business carried on by the licensee on the premises;

7 (4) the sale of alcoholic liquor at the premises is  
8 incidental to the sale of food; and

9 (5) the administration of City of Chicago School  
10 District 299 has expressed, in writing, its support for the  
11 issuance of the license.

12 (o) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a retail license authorizing the sale of  
15 alcoholic liquor at a premises that is located within a  
16 municipality in excess of 1,000,000 inhabitants and within 100  
17 feet of a church if:

18 (1) the sale of alcoholic liquor at the premises is  
19 incidental to the sale of food;

20 (2) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22 (3) the premises is located on a street that runs  
23 perpendicular to the street on which the church is located;

24 (4) the primary entrance of the premises is at least  
25 100 feet from the primary entrance of the church;

26 (5) the shortest distance between any part of the

1 premises and any part of the church is at least 60 feet;

2 (6) the premises is between 3,600 and 4,000 square feet  
3 and sits on a lot that is between 3,600 and 4,000 square  
4 feet; and

5 (7) the premises was built in the year 1909.

6 For purposes of this subsection (o), "premises" means a  
7 place of business together with a privately owned outdoor  
8 location that is adjacent to the place of business.

9 (p) Notwithstanding any provision in this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor at a premises that is located within a municipality with  
13 a population in excess of 1,000,000 inhabitants and within 100  
14 feet of a church if:

15 (1) the shortest distance between the backdoor of the  
16 premises, which is used as an emergency exit, and the  
17 church is at least 80 feet;

18 (2) the church was established at the current location  
19 in 1889; and

20 (3) liquor has been sold on the premises since at least  
21 1985.

22 (q) Notwithstanding any provision of this Section to the  
23 contrary, nothing in this Section shall prohibit the issuance  
24 or renewal of a license authorizing the sale of alcoholic  
25 liquor within a premises that is located in a municipality with  
26 a population in excess of 1,000,000 inhabitants and within 100

1 feet of a church-owned property if:

2 (1) the premises is located within a larger building  
3 operated as a grocery store;

4 (2) the area of the premises does not exceed 720 square  
5 feet and the area of the larger building exceeds 18,000  
6 square feet;

7 (3) the larger building containing the premises is  
8 within 100 feet of the nearest property line of a  
9 church-owned property on which a church-affiliated school  
10 is located;

11 (4) the sale of liquor is not the principal business  
12 carried on within the larger building;

13 (5) the primary entrance of the larger building and the  
14 premises and the primary entrance of the church-affiliated  
15 school are on different, parallel streets, and the distance  
16 between the 2 primary entrances is more than 100 feet;

17 (6) the larger building is separated from the  
18 church-owned property and church-affiliated school by an  
19 alley;

20 (7) the larger building containing the premises and the  
21 church building front are on perpendicular streets and are  
22 separated by a street; and

23 (8) (Blank).

24 (r) Notwithstanding any provision of this Section to the  
25 contrary, nothing in this Section shall prohibit the issuance,  
26 renewal, or maintenance of a license authorizing the sale of

1 alcoholic liquor incidental to the sale of food within a  
2 restaurant established in a premises that is located in a  
3 municipality with a population in excess of 1,000,000  
4 inhabitants and within 100 feet of a church if:

5 (1) the primary entrance of the church and the primary  
6 entrance of the restaurant are at least 100 feet apart;

7 (2) the restaurant has operated on the ground floor and  
8 lower level of a multi-story, multi-use building for more  
9 than 40 years;

10 (3) the primary business of the restaurant consists of  
11 the sale of food where the sale of liquor is incidental to  
12 the sale of food;

13 (4) the sale of alcoholic liquor is conducted primarily  
14 in the below-grade level of the restaurant to which the  
15 only public access is by a staircase located inside the  
16 restaurant; and

17 (5) the restaurant has held a license authorizing the  
18 sale of alcoholic liquor on the premises for more than 40  
19 years.

20 (s) Notwithstanding any provision of this Section to the  
21 contrary, nothing in this Section shall prohibit renewal of a  
22 license authorizing the sale of alcoholic liquor at a premises  
23 that is located within a municipality with a population more  
24 than 5,000 and less than 10,000 and is within 100 feet of a  
25 church if:

26 (1) the church was established at the location within

1           100 feet of the premises after a license for the sale of  
2 alcoholic liquor at the premises was first issued;

3           (2) a license for sale of alcoholic liquor at the  
4 premises was first issued before January 1, 2007; and

5           (3) a license for the sale of alcoholic liquor on the  
6 premises has been continuously in effect since January 1,  
7 2007, except for interruptions between licenses of no more  
8 than 90 days.

9           (t) Notwithstanding any provision of this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor incidental to the sale of food within a restaurant that  
13 is established in a premises that is located in a municipality  
14 with a population in excess of 1,000,000 inhabitants and within  
15 100 feet of a school and a church if:

16           (1) the restaurant is located inside a five-story  
17 building with over 16,800 square feet of commercial space;

18           (2) the area of the premises does not exceed 31,050  
19 square feet;

20           (3) the area of the restaurant does not exceed 5,800  
21 square feet;

22           (4) the building has no less than 78 condominium units;

23           (5) the construction of the building in which the  
24 restaurant is located was completed in 2006;

25           (6) the building has 10 storefront properties, 3 of  
26 which are used for the restaurant;

1 (7) the restaurant will open for business in 2010;

2 (8) the building is north of the school and separated  
3 by an alley; and

4 (9) the principal religious leader of the church and  
5 either the alderman of the ward in which the school is  
6 located or the principal of the school have delivered a  
7 written statement to the local liquor control commissioner  
8 stating that he or she does not object to the issuance of a  
9 license under this subsection (t).

10 (u) Notwithstanding any provision in this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license to sell alcoholic liquor at a premises  
13 that is located within a municipality with a population in  
14 excess of 1,000,000 inhabitants and within 100 feet of a school  
15 if:

16 (1) the premises operates as a restaurant and has been  
17 in operation since February 2008;

18 (2) the applicant is the owner of the premises;

19 (3) the sale of alcoholic liquor is incidental to the  
20 sale of food;

21 (4) the sale of alcoholic liquor is not the principal  
22 business carried on by the licensee on the premises;

23 (5) the premises occupy the first floor of a 3-story  
24 building that is at least 90 years old;

25 (6) the rear lot of the school and the rear corner of  
26 the building that the premises occupy are separated by an

1 alley;

2 (7) the distance from the southwest corner of the  
3 property line of the school and the northeast corner of the  
4 building that the premises occupy is at least 16 feet, 5  
5 inches;

6 (8) the distance from the rear door of the premises to  
7 the southwest corner of the property line of the school is  
8 at least 93 feet;

9 (9) the school is a City of Chicago School District 299  
10 school;

11 (10) the school's main structure was erected in 1902  
12 and an addition was built to the main structure in 1959;  
13 and

14 (11) the principal of the school and the alderman in  
15 whose district the premises are located have expressed, in  
16 writing, their support for the issuance of the license.

17 (v) Notwithstanding any provision in this Section to the  
18 contrary, nothing in this Section shall prohibit the issuance  
19 or renewal of a license authorizing the sale of alcoholic  
20 liquor at a premises that is located within a municipality with  
21 a population in excess of 1,000,000 inhabitants and is within  
22 100 feet of a school if:

23 (1) the total land area of the premises for which the  
24 license or renewal is sought is more than 600,000 square  
25 feet;

26 (2) the premises for which the license or renewal is



1 sought has more than 600 parking stalls;

2 (3) the total area of all buildings on the premises for  
3 which the license or renewal is sought exceeds 140,000  
4 square feet;

5 (4) the property line of the premises for which the  
6 license or renewal is sought is separated from the property  
7 line of the school by a street;

8 (5) the distance from the school's property line to the  
9 property line of the premises for which the license or  
10 renewal is sought is at least 60 feet;

11 (6) as of the effective date of this amendatory Act of  
12 the 97th General Assembly, the premises for which the  
13 license or renewal is sought is located in the Illinois  
14 Medical District.

15 (w) Notwithstanding any provision in this Section to the  
16 contrary, nothing in this Section shall prohibit the issuance  
17 or renewal of a license to sell alcoholic liquor at a premises  
18 that is located within a municipality with a population in  
19 excess of 1,000,000 inhabitants and within 100 feet of a church  
20 if:

21 (1) the sale of alcoholic liquor at the premises is  
22 incidental to the sale of food;

23 (2) the sale of alcoholic liquor is not the principal  
24 business carried on by the licensee at the premises;

25 (3) the premises occupy the first floor and basement of  
26 a 2-story building that is 106 years old;

1           (4) the premises is at least 7,000 square feet and  
2 located on a lot that is at least 11,000 square feet;

3           (5) the premises is located directly west of the  
4 church, on perpendicular streets, and separated by an  
5 alley;

6           (6) the distance between the property line of the  
7 premises and the property line of the church is at least 20  
8 feet;

9           (7) the distance between the primary entrance of the  
10 premises and the primary entrance of the church is at least  
11 130 feet; and

12           (8) the church has been at its location for at least 40  
13 years.

14           (x) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at a premises that is located within a municipality with  
18 a population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20           (1) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22           (2) the church has been operating in its current  
23 location since 1973;

24           (3) the premises has been operating in its current  
25 location since 1988;

26           (4) the church and the premises are owned by the same

1 parish;

2 (5) the premises is used for cultural and educational  
3 purposes;

4 (6) the primary entrance to the premises and the  
5 primary entrance to the church are located on the same  
6 street;

7 (7) the principal religious leader of the church has  
8 indicated his support of the issuance of the license;

9 (8) the premises is a 2-story building of approximately  
10 23,000 square feet; and

11 (9) the premises houses a ballroom on its ground floor  
12 of approximately 5,000 square feet.

13 (y) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at a premises that is located within a municipality with  
17 a population in excess of 1,000,000 inhabitants and within 100  
18 feet of a school if:

19 (1) the sale of alcoholic liquor is not the principal  
20 business carried on by the licensee at the premises;

21 (2) the sale of alcoholic liquor at the premises is  
22 incidental to the sale of food;

23 (3) according to the municipality, the distance  
24 between the east property line of the premises and the west  
25 property line of the school is 97.8 feet;

26 (4) the school is a City of Chicago School District 299

1 school;

2 (5) the school has been operating since 1959;

3 (6) the primary entrance to the premises and the  
4 primary entrance to the school are located on the same  
5 street;

6 (7) the street on which the entrances of the premises  
7 and the school are located is a major diagonal  
8 thoroughfare;

9 (8) the premises is a single-story building of  
10 approximately 2,900 square feet; and

11 (9) the premises is used for commercial purposes only.

12 (z) Notwithstanding any provision of this Section to the  
13 contrary, nothing in this Section shall prohibit the issuance  
14 or renewal of a license authorizing the sale of alcoholic  
15 liquor at a premises that is located within a municipality with  
16 a population in excess of 1,000,000 inhabitants and within 100  
17 feet of a mosque if:

18 (1) the sale of alcoholic liquor is not the principal  
19 business carried on by the licensee at the premises;

20 (2) the licensee shall only sell packaged liquors at  
21 the premises;

22 (3) the licensee is a national retail chain having over  
23 100 locations within the municipality;

24 (4) the licensee has over 8,000 locations nationwide;

25 (5) the licensee has locations in all 50 states;

26 (6) the premises is located in the North-East quadrant

1 of the municipality;

2 (7) the premises is a free-standing building that has  
3 "drive-through" pharmacy service;

4 (8) the premises has approximately 14,490 square feet  
5 of retail space;

6 (9) the premises has approximately 799 square feet of  
7 pharmacy space;

8 (10) the premises is located on a major arterial street  
9 that runs east-west and accepts truck traffic; and

10 (11) the alderman of the ward in which the premises is  
11 located has expressed, in writing, his or her support for  
12 the issuance of the license.

13 (aa) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at a premises that is located within a municipality with  
17 a population in excess of 1,000,000 inhabitants and within 100  
18 feet of a church if:

19 (1) the sale of alcoholic liquor is not the principal  
20 business carried on by the licensee at the premises;

21 (2) the licensee shall only sell packaged liquors at  
22 the premises;

23 (3) the licensee is a national retail chain having over  
24 100 locations within the municipality;

25 (4) the licensee has over 8,000 locations nationwide;

26 (5) the licensee has locations in all 50 states;

1           (6) the premises is located in the North-East quadrant  
2 of the municipality;

3           (7) the premises is located across the street from a  
4 national grocery chain outlet;

5           (8) the premises has approximately 16,148 square feet  
6 of retail space;

7           (9) the premises has approximately 992 square feet of  
8 pharmacy space;

9           (10) the premises is located on a major arterial street  
10 that runs north-south and accepts truck traffic; and

11           (11) the alderman of the ward in which the premises is  
12 located has expressed, in writing, his or her support for  
13 the issuance of the license.

14           (bb) Notwithstanding any provision of this Section to the  
15 contrary, nothing in this Section shall prohibit the issuance  
16 or renewal of a license authorizing the sale of alcoholic  
17 liquor at a premises that is located within a municipality with  
18 a population in excess of 1,000,000 inhabitants and within 100  
19 feet of a church if:

20           (1) the sale of alcoholic liquor is not the principal  
21 business carried on by the licensee at the premises;

22           (2) the sale of alcoholic liquor at the premises is  
23 incidental to the sale of food;

24           (3) the primary entrance to the premises and the  
25 primary entrance to the church are located on the same  
26 street;

1 (4) the premises is across the street from the church;

2 (5) the street on which the premises and the church are  
3 located is a major arterial street that runs east-west;

4 (6) the church is an elder-led and Bible-based Assyrian  
5 church;

6 (7) the premises and the church are both single-story  
7 buildings;

8 (8) the storefront directly west of the church is being  
9 used as a restaurant; and

10 (9) the distance between the northern-most property  
11 line of the premises and the southern-most property line of  
12 the church is 65 feet.

13 (cc) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at a premises that is located within a municipality with  
17 a population in excess of 1,000,000 inhabitants and within 100  
18 feet of a school if:

19 (1) the sale of alcoholic liquor is not the principal  
20 business carried on by the licensee at the premises;

21 (2) the licensee shall only sell packaged liquors at  
22 the premises;

23 (3) the licensee is a national retail chain;

24 (4) as of October 25, 2011, the licensee has 1,767  
25 stores operating nationwide, 87 stores operating in the  
26 State, and 10 stores operating within the municipality;

1           (5) the licensee shall occupy approximately 124,000  
2 square feet of space in the basement and first and second  
3 floors of a building located across the street from a  
4 school;

5           (6) the school opened in August of 2009 and occupies  
6 approximately 67,000 square feet of space; and

7           (7) the building in which the premises shall be located  
8 has been listed on the National Register of Historic Places  
9 since April 17, 1970.

10          (dd) Notwithstanding any provision in this Section to the  
11 contrary, nothing in this Section shall prohibit the issuance  
12 or renewal of a license authorizing the sale of alcoholic  
13 liquor within a full-service grocery store at a premises that  
14 is located within a municipality with a population in excess of  
15 1,000,000 inhabitants and is within 100 feet of a school if:

16           (1) the premises is constructed on land that was  
17 purchased from the municipality at a fair market price;

18           (2) the premises is constructed on land that was  
19 previously used as a parking facility for public safety  
20 employees;

21           (3) the sale of alcoholic liquor is not the principal  
22 business carried on by the licensee at the premises;

23           (4) the main entrance to the store is more than 100  
24 feet from the main entrance to the school;

25           (5) the premises is to be new construction;

26           (6) the school is a private school;



1           (7) the principal of the school has given written  
2 approval for the license;

3           (8) the alderman of the ward where the premises is  
4 located has given written approval of the issuance of the  
5 license;

6           (9) the grocery store level of the premises is between  
7 60,000 and 70,000 square feet; and

8           (10) the owner and operator of the grocery store  
9 operates 2 other grocery stores that have alcoholic liquor  
10 licenses within the same municipality.

11           (ee) Notwithstanding any provision in this Section to the  
12 contrary, nothing in this Section shall prohibit the issuance  
13 or renewal of a license authorizing the sale of alcoholic  
14 liquor within a full-service grocery store at a premises that  
15 is located within a municipality with a population in excess of  
16 1,000,000 inhabitants and is within 100 feet of a school if:

17           (1) the premises is constructed on land that once  
18 contained an industrial steel facility;

19           (2) the premises is located on land that has undergone  
20 environmental remediation;

21           (3) the premises is located within a retail complex  
22 containing retail stores where some of the stores sell  
23 alcoholic beverages;

24           (4) the principal activity of any restaurant in the  
25 retail complex is the sale of food, and the sale of  
26 alcoholic liquor is incidental to the sale of food;

1           (5) the sale of alcoholic liquor is not the principal  
2 business carried on by the grocery store;

3           (6) the entrance to any business that sells alcoholic  
4 liquor is more than 100 feet from the entrance to the  
5 school;

6           (7) the alderman of the ward where the premises is  
7 located has given written approval of the issuance of the  
8 license; and

9           (8) the principal of the school has given written  
10 consent to the issuance of the license.

11           (ff) Notwithstanding any provision of this Section to the  
12 contrary, nothing in this Section shall prohibit the issuance  
13 or renewal of a license authorizing the sale of alcoholic  
14 liquor at a premises that is located within a municipality with  
15 a population in excess of 1,000,000 inhabitants and within 100  
16 feet of a school if:

17           (1) the sale of alcoholic liquor is not the principal  
18 business carried on at the premises;

19           (2) the sale of alcoholic liquor at the premises is  
20 incidental to the operation of a theater;

21           (3) the premises is a one and one-half-story building  
22 of approximately 10,000 square feet;

23           (4) the school is a City of Chicago School District 299  
24 school;

25           (5) the primary entrance of the premises and the  
26 primary entrance of the school are at least 300 feet apart

1 and no more than 400 feet apart;

2 (6) the alderman of the ward in which the premises is  
3 located has expressed, in writing, his support for the  
4 issuance of the license; and

5 (7) the principal of the school has expressed, in  
6 writing, that there is no objection to the issuance of a  
7 license under this subsection (ff).

8 (gg) Notwithstanding any provision of this Section to the  
9 contrary, nothing in this Section shall prohibit the issuance  
10 or renewal of a license authorizing the sale of alcoholic  
11 liquor incidental to the sale of food within a restaurant or  
12 banquet facility established in a premises that is located in a  
13 municipality with a population in excess of 1,000,000  
14 inhabitants and within 100 feet of a church if:

15 (1) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises;

17 (2) the property on which the church is located and the  
18 property on which the premises are located are both within  
19 a district originally listed on the National Register of  
20 Historic Places on February 14, 1979;

21 (3) the property on which the premises are located  
22 contains one or more multi-story buildings that are at  
23 least 95 years old and have no more than three stories;

24 (4) the building in which the church is located is at  
25 least 120 years old;

26 (5) the property on which the church is located is

1 immediately adjacent to and west of the property on which  
2 the premises are located;

3 (6) the western boundary of the property on which the  
4 premises are located is no less than 118 feet in length and  
5 no more than 122 feet in length;

6 (7) as of December 31, 2012, both the church property  
7 and the property on which the premises are located are  
8 within 250 feet of City of Chicago Business-Residential  
9 Planned Development Number 38;

10 (8) the principal religious leader at the place of  
11 worship has indicated his or her support for the issuance  
12 of the license in writing; and

13 (9) the alderman in whose district the premises are  
14 located has expressed his or her support for the issuance  
15 of the license in writing.

16 For the purposes of this subsection, "banquet facility"  
17 means the part of the building that is located on the floor  
18 above a restaurant and caters to private parties and where the  
19 sale of alcoholic liquors is not the principal business.

20 (hh) Notwithstanding any provision of this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance  
22 or renewal of a license authorizing the sale of alcoholic  
23 liquor within a hotel and at an outdoor patio area attached to  
24 the hotel that are located in a municipality with a population  
25 in excess of 1,000,000 inhabitants and that are within 100 feet  
26 of a hospital if:

1           (1) the sale of alcoholic liquor is not the principal  
2 business carried on by the licensee at the hotel;

3           (2) the hotel is located within the City of Chicago  
4 Business Planned Development Number 468; and

5           (3) the hospital is located within the City of Chicago  
6 Institutional Planned Development Number 3.

7           (ii) Notwithstanding any provision of this Section to the  
8 contrary, nothing in this Section shall prohibit the issuance  
9 or renewal of a license authorizing the sale of alcoholic  
10 liquor within a restaurant and at an outdoor patio area  
11 attached to the restaurant that are located in a municipality  
12 with a population in excess of 1,000,000 inhabitants and that  
13 are within 100 feet of a church if:

14           (1) the sale of alcoholic liquor at the premises is not  
15 the principal business carried on by the licensee and is  
16 incidental to the sale of food;

17           (2) the restaurant has been operated on the street  
18 level of a 2-story building located on a corner lot since  
19 2008;

20           (3) the restaurant is between 3,700 and 4,000 square  
21 feet and sits on a lot that is no more than 6,200 square  
22 feet;

23           (4) the primary entrance to the restaurant and the  
24 primary entrance to the church are located on the same  
25 street;

26           (5) the street on which the restaurant and the church

1 are located is a major east-west street;

2 (6) the restaurant and the church are separated by a  
3 one-way northbound street;

4 (7) the church is located to the west of and no more  
5 than 65 feet from the restaurant; and

6 (8) the principal religious leader at the place of  
7 worship has indicated his or her consent to the issuance of  
8 the license in writing.

9 (jj) Notwithstanding any provision of this Section to the  
10 contrary, nothing in this Section shall prohibit the issuance  
11 or renewal of a license authorizing the sale of alcoholic  
12 liquor at premises located within a municipality with a  
13 population in excess of 1,000,000 inhabitants and within 100  
14 feet of a church if:

15 (1) the sale of alcoholic liquor is not the principal  
16 business carried on by the licensee at the premises;

17 (2) the sale of alcoholic liquor is incidental to the  
18 sale of food;

19 (3) the premises are located east of the church, on  
20 perpendicular streets, and separated by an alley;

21 (4) the distance between the primary entrance of the  
22 premises and the primary entrance of the church is at least  
23 175 feet;

24 (5) the distance between the property line of the  
25 premises and the property line of the church is at least 40  
26 feet;

1           (6) the licensee has been operating at the premises  
2 since 2012;

3           (7) the church was constructed in 1904;

4           (8) the alderman of the ward in which the premises is  
5 located has expressed, in writing, his or her support for  
6 the issuance of the license; and

7           (9) the principal religious leader of the church has  
8 delivered a written statement that he or she does not  
9 object to the issuance of a license under this subsection  
10 (jj).

11        (kk) ~~(jj)~~ Notwithstanding any provision of this Section to  
12 the contrary, nothing in this Section shall prohibit the  
13 issuance or renewal of a license authorizing the sale of  
14 alcoholic liquor at a premises that is located within a  
15 municipality with a population in excess of 1,000,000  
16 inhabitants and within 100 feet of a school if:

17           (1) the sale of alcoholic liquor is not the principal  
18 business carried on by the licensee at the premises;

19           (2) the licensee shall only sell packaged liquors on  
20 the premises;

21           (3) the licensee is a national retail chain;

22           (4) as of February 27, 2013, the licensee had 1,778  
23 stores operating nationwide, 89 operating in this State,  
24 and 11 stores operating within the municipality;

25           (5) the licensee shall occupy approximately 169,048  
26 square feet of space within a building that is located

1 across the street from a tuition-based preschool; and

2 (6) the alderman of the ward in which the premises is  
3 located has expressed, in writing, his or her support for  
4 the issuance of the license.

5 (ll) ~~(kk)~~ Notwithstanding any provision of this Section to  
6 the contrary, nothing in this Section shall prohibit the  
7 issuance or renewal of a license authorizing the sale of  
8 alcoholic liquor at a premises that is located within a  
9 municipality with a population in excess of 1,000,000  
10 inhabitants and within 100 feet of a school if:

11 (1) the sale of alcoholic liquor is not the principal  
12 business carried on by the licensee at the premises;

13 (2) the licensee shall only sell packaged liquors on  
14 the premises;

15 (3) the licensee is a national retail chain;

16 (4) as of February 27, 2013, the licensee had 1,778  
17 stores operating nationwide, 89 operating in this State,  
18 and 11 stores operating within the municipality;

19 (5) the licensee shall occupy approximately 191,535  
20 square feet of space within a building that is located  
21 across the street from an elementary school; and

22 (6) the alderman of the ward in which the premises is  
23 located has expressed, in writing, his or her support for  
24 the issuance of the license.

25 (mm) Notwithstanding any provision of this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance



1 or renewal of a license authorizing the sale of alcoholic  
2 liquor within premises and at an outdoor patio or sidewalk  
3 cafe, or both, attached to premises that are located in a  
4 municipality with a population in excess of 1,000,000  
5 inhabitants and that are within 100 feet of a hospital if:

6 (1) the primary business of the restaurant consists of  
7 the sale of food where the sale of liquor is incidental to  
8 the sale of food;

9 (2) as a restaurant, the premises may or may not offer  
10 catering as an incidental part of food service;

11 (3) the primary business of the restaurant is conducted  
12 in space owned by a hospital or an entity owned or  
13 controlled by, under common control with, or that controls  
14 a hospital, and the chief hospital administrator has  
15 expressed his or her support for the issuance of the  
16 license in writing; and

17 (4) the hospital is an adult acute care facility  
18 primarily located within the City of Chicago Institutional  
19 Planned Development Number 3.

20 (nn) Notwithstanding any provision of this Section to the  
21 contrary, nothing in this Section shall prohibit the issuance  
22 or renewal of a license authorizing the sale of alcoholic  
23 liquor at a premises that is located within a municipality with  
24 a population in excess of 1,000,000 inhabitants and within 100  
25 feet of a church if:

26 (1) the sale of alcoholic liquor is not the principal

1 business carried out on the premises;

2 (2) the sale of alcoholic liquor at the premises is  
3 incidental to the operation of a theater;

4 (3) the premises are a building that was constructed in  
5 1913 and opened on May 24, 1915 as a vaudeville theater,  
6 and the premises were converted to a motion picture theater  
7 in 1935;

8 (4) the church was constructed in 1889 with a stone  
9 exterior;

10 (5) the primary entrance of the premises and the  
11 primary entrance of the church are at least 100 feet apart;  
12 and

13 (6) the principal religious leader at the place of  
14 worship has indicated his or her consent to the issuance of  
15 the license in writing; and

16 (7) the alderman in whose ward the premises are located  
17 has expressed his or her support for the issuance of the  
18 license in writing.

19 (oo) Notwithstanding any provision of this Section to the  
20 contrary, nothing in this Section shall prohibit the issuance  
21 or renewal of a license authorizing the sale of alcoholic  
22 liquor at a premises that is located within a municipality with  
23 a population in excess of 1,000,000 inhabitants and within 100  
24 feet of a mosque, church, or other place of worship if:

25 (1) the primary entrance of the premises and the  
26 primary entrance of the mosque, church, or other place of

1 worship are perpendicular and are on different streets;

2 (2) the primary entrance to the premises faces West and  
3 the primary entrance to the mosque, church, or other place  
4 of worship faces South;

5 (3) the distance between the 2 primary entrances is at  
6 least 100 feet;

7 (4) the mosque, church, or other place of worship was  
8 established in a location within 100 feet of the premises  
9 after a license for the sale of alcohol at the premises was  
10 first issued;

11 (5) the mosque, church, or other place of worship was  
12 established on or around January 1, 2011;

13 (6) a license for the sale of alcohol at the premises  
14 was first issued on or before January 1, 1985;

15 (7) a license for the sale of alcohol at the premises  
16 has been continuously in effect since January 1, 1985,  
17 except for interruptions between licenses of no more than  
18 90 days; and

19 (8) the premises are a single story, single use  
20 building of at least 3,000 square feet and no more than  
21 3,380 square feet.

22 (Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634,  
23 eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12;  
24 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff.  
25 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; revised  
26 9-24-13.)

1 (235 ILCS 5/9-2c new)

2 Sec. 9-2c. Museum of Science and Industry. Any vote under  
3 this Article, whenever held, to prohibit sales at retail of  
4 alcoholic liquor (or alcoholic liquor other than liquor  
5 containing not more than 4% of alcohol by weight) in a precinct  
6 in a city, village, or incorporated town of more than 200,000  
7 inhabitants shall not apply to such sales at the Museum of  
8 Science and Industry in Chicago.

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.".